

TOWN COUNCIL MINUTES

AUGUST 20, 2007

The regularly scheduled meeting of the Hampden Town Council was held on Monday, August 20, 2007. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:00 p.m.

Attendance: Councilors: Mayor Rick Briggs, Robert Gilberti, Thomas Brann, Matthew Arnett, Edward Murphy, and Andrew Colford. Shannon Cox was excused.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne, Economic Development Director Bion Foster, Public Works Directors Greg Nash and Chip Swan and Library Director Debbie Lozito

Pine Tree Landfill representatives and citizens

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Councilor Arnett requested that Item A.4.b. be set aside. The balance of the consent agenda was accepted without objection.

A.4.b. LANDFILL SPECIAL WASTE ACTIVITY REPORT – JULY 2007

Councilor Arnett noted that the report included a delivery of spoiled foods and it was his understanding that kind of waste would no longer be accepted at the landfill. Manager Lessard reported that she had previously contacted Landfill Director Marty Drew and expressed her concern. Marty indicated that it should not have been accepted and they have taken steps to prevent acceptance of future loads of that variety. Motion by Councilor Arnett, seconded by Councilor Colford to accept Item A.4.b. – unanimous vote in favor.

Mayor Briggs noted that Councilor Cox was unable to attend tonight's meeting and has asked to be excused. Councilor Gilberti so moved; Councilor Arnett seconded the motion and vote was unanimously in favor.

B. PUBLIC COMMENTS

Ed Murphy of 12 Perry Road addressed his fellow townsfolk as a citizen and a copy of his comments are attached.

As a citizen of Hampden , I would like to address my fellow townfolks. I have been called many names during my residency in Hampden .

I have been called Fireman Ed during the 26 plus years employed by this Town. I met many of you , sometimes under adverse conditions, sometimes during Fire Safety education in our school system.

I have been called a Founding Father , one of five people that had a vision involving the youth of this community. That vision had its 28th celebration this past weekend. That being Childrens Day. That event started in 1978. Those of you that have your calculators handy are about to call me and say that this is the 29th year celebrating our area youth. You are correct. One year that the Childrens Day Committee did not celebrate , I and my company still did. Since the start in 1978 , Blue Hill Pyrotechnics has provided fireworks , much of which was donated , to help this worthy endeavor.

I have been called Councilor Murphy. For a few years now , I have set in this chamber and have dealt with many , sometimes very controversial topics. Although, the outcome of these topics did not please everyone , they were dealt with in a fair manor. I attempt to look at all topics from different viewpoints and try to find the best solution to benefit the most Hampden residents.

I have been called Sailor Ed. I am a Veteran of Foreign Wars. I served my country in a far distant part of the world for the same reasons our troops fight today. I couldn't pronounce many of the towns I was fighting in, and couldn't understand at the time why...I just did my duty. When I came home , no people were waiting to shake my hand, or hang flags on poles....flags were being burned and fingers pointed at me for doing my duty. Guess what , I got over it. I know the difference between decoration and desecration is only a few letters. Honor is in a different catagory to people in my generation.

I have been called Limo driver Ed. Another portion of my life is providing a great ride....and I have some pretty nice ones. Some of you have had the opportunity to ride with me...on your first day in school , to get ice cream , to go to a prom , just to have fun. A lot of these rides are donated to this community.

In the last two weeks I was called two more names. Non-community minded and un-patriotic. To the four people I asked to leave my property , and you know who you are , I am sorry. I am sorry that you don't get all the facts before judging me. I am sorry that you have been in Town only a couple of years and you don't know my history. Your accusations hurt me deeper than you know.

Maybe standing here tonight will help more of you understand who I am. I want you to know me.

Just call me Ed.

C. POLICY AGENDA

1. PUBLIC HEARINGS

a. REQUEST FOR WAIVER OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HAMPDEN BUSINESS AND COMMERCE PARK – LOT 3 BUILDING ENVELOPE AREA

Mayor Briggs explained that a portion of the foundation for the building on Lot 3 is apparently outside the building envelope area and the roof eave line and canopy over the rear-access door would also end up being outside that area. The owner of the lot has requested that the Council grant a waiver of declaration. The Council reviewed a sketch of the foundation and proposed roof eave line and canopy.

Economic Development Director Bion Foster explained that the purpose of the building envelope areas was to maintain view easements into the park. He reported that the Economic Development Committee feels that this variation would not restrict the view easement and the committee has no objections to granting a waiver.

Councilor Brann asked how this happened. Todd Hardy of M.D. Hardy, who is doing the design-build for the owners of Lot 3, explained that just prior to final Planning Board approval, it was determined that the new road, Commerce Court did not meet the right-of-way width to be considered a town road. Because of that, the lot line for Lot #3 was set back by thirteen feet. The site plan had to be revised and the building and parking area had to be moved back by approximately eight feet in order to meet setback requirements on the front. When they did that, they made an error in their calculations of where the property line was actually going to be. The encroachment was discovered only after the foundation had been put in.

Attorney Russell explained that the Town actually conveyed Lot #3 as it existed on the approved plan and in an agreement with the new owner, once the road is accepted, they are obligated to deed back to the Town a 33-foot strip of land from that lot.

Mayor Briggs explained the procedure for the public hearing and then opened the hearing.

Proponents – Todd Hardy, for the record, requested that the Council grant the waiver. He said they have done all they could do to satisfy the requirements of the town ordinances, but they did make an error and apologize for that error.

Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Colford, seconded by Councilor Gilberti that the Town Council, pursuant to Article X of the Declaration of Covenants, Conditions, and Restrictions for the Hampden Business and Commerce Park dated

October 7, 2002, recorded in the Penobscot County Registry of Deeds in Book 8503, Page 78, grant a waiver to HEC-Hampden, LLC from the Rear Setback requirements of Section 4.2 of the Declaration for those portions of the foundation, roof eave line, and rear entry door canopy of the proposed building that extend beyond the building envelope area (a/k/a building area limit) for Lot 3 of the Hampden Business and Commerce Park as shown on Amendment No. 2 of the Final Subdivision Plan for Hampden Business and Commerce Park recorded in the Penobscot County Registry in Map File 2007-112. This waiver applies to the location of the building improvements as shown on the sketch plan prepared by Plisga & Day, Land Surveyors, dated August 7, 2007, and the waiver shall run with the land (Lot 3). By roll call, vote was 6-0 in favor of the motion.

b. APPLICATION FOR RENEWAL OF A VICTUALER'S LICENSE
RECEIVED FROM FRANK CLARK, d/b/a HIGHLANDS CORNER
STORE LOCATED AT 557 KENNEBEC ROAD

Because of the violations that still remain Manager Lessard requested that the Council continue the public hearing until the next meeting. Mayor Briggs opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Brann to reopen and continue the public hearing to the next scheduled Council meeting and postpone decisions on this issue until the problems associated with inspection can be resolved. Councilor Arnett seconded the motion and vote was unanimously in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

- a. THOMAS BLAIS – PLANNING BOARD – APPOINTMENTS
COMMITTEE RECOMMENDATION
- b. CEDENA McAVOY – LURA HOIT POOL BOARD OF TRUSTEES –
APPOINTMENTS COMMITTEE RECOMMENDATION
- c. MJ BALL – RECREATION COMMITTEE - APPOINTMENTS
COMMITTEE RECOMMENDATION

Councilor Gilberti reported that the Appointments Committee recommends appointment of all three candidates. He moved to appoint Thomas Blais as an Associate Member of the Planning Board, to appoint Cedena McAvoy to the Lura Hoyt Pool Board of Trustees and to appoint MJ Ball to the Recreation Committee. Councilor Arnett seconded the motion and vote was unanimously in favor.

- d. NOMINATION PAPERS AVAILABLE FOR SAD #22 BOARD OF
DIRECTORS AND HAMPDEN WATER DISTRICT TRUSTEE

Town Clerk Denise Hodsdon reported that nomination papers for 2 School

Board vacancies and 1 Water District Trustee vacancy are available now and are due back by 5:00 p.m. on September 7th.

3. UNFINISHED BUSINESS

a. TRACTOR BID RESULTS – PUBLIC WORKS

Public Works Director Greg Nash informed the Council that two bids were received for a new lawn tractor for the grounds/maintenance crew. He recommended acceptance of the bid from Greenway Equipment in the amount of \$5,034.00. Motion by Councilor Brann, seconded by Councilor Murphy to accept the bid from Greenway Equipment for a total cost of \$5,034.00 for the new lawn tractor – unanimous vote in favor.

b. LOADER BID RESULTS – PUBLIC WORKS

Public Works Director Greg Nash reported the results of the bid opening for a loader/backhoe. He explained that this is a total cost bid, which allows the opportunity to look at the overall operating cost of the vehicle over a five-year period. The successful bidder will have to post a performance bond, to be held by the Town, for the buy back amount at five years. At the end of the five years, the Council will decide whether they want them to buy it back, or whether to trade it or keep it and give them back the bond. He recommended acceptance of the bid from Nortrax Equipment in the amount of \$56,400.00. Motion by Councilor Brann, seconded by Councilor Colford to accept the bid from Nortrax Equipment for the John Deere 310 – unanimous vote in favor.

Greg noted that this would be his last meeting with the Council as he approaches the end of his tenure. He starting working for the town in 1985 and was the first Public Works Director so it was “learn as you go”. He said it has been a wonderful experience and in 22 years he has attended a lot of Council meetings and worked with a lot of Councilors. He expressed appreciation to this Council and all previous Councils for supporting him in projects and programs that he has put together and overseen and in the purchase of equipment for the Department. He hopes that his legacy will be the road program that he has put together for the Town. Lastly, he noted that he has worked for three Managers and we wanted to say that Susan Lessard is the best Manager and best boss he has ever had in his working career. The Council thanked Greg for his many years of service and Mayor Briggs commented that with the programs Greg has put into place, he made it easy for the Town to attract a good high-quality candidate for the Public Works Director position. He expressed appreciation to Greg for staying on to work through the transition period with new Public Works Director Chip Swan.

c. GARAGE HEATING SYSTEM – PUBLIC WORKS

Public Works Director Chip Swan requested a meeting with the Public Works Committee to discuss the heating system at the garage. Motion by Councilor Murphy, seconded by Councilor Arnett to refer this to the Public

Works Committee and the Finance Committee – unanimous vote in favor.
The meeting will be held on August 27th at 5:00 pm.

d. SALT BID RESULTS – PUBLIC WORKS

Public Works Director Chip Swan reported that there were two bidders for the PVCOG regional salt and calcium bid. He recommended acceptance of the bid from International Chemicals for salt at the price of \$57.99/ton. Motion by Councilor Brann, seconded by Councilor Gilberti to accept the bid from International Chemicals – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Colford to accept the bid for flake calcium chloride from Paris Farmers Union at the price of \$10.05/50# bag – unanimous vote in favor.

e. LIBRARY ROAD – ACCEPTANCE AS TOWN WAY

Manager Lessard explained that this has been a right-of-way to the library which, with the addition of Avalon Village, has now been paved and has sidewalks. The road meets town standards for a road and because the Town already owns it, this would simply be a designation to put it in the Town's road maintenance plan.

Motion by Councilor Brann, seconded by Councilor Gilberti that the Town accept the Library Road as a public way – unanimous vote in favor.

It was suggested that the possibility of renaming the road be agendaed for discussion at a future meeting.

4. NEW BUSINESS

a. APPLICATIONS FOR OUTDOOR WOODBURNING FURNACE LICENSES

1. Brian Mushrow, 283 Meadow Road
2. Rodney Stanhope, 540 Western Avenue
3. Scott Stanhope, 99 Emerson Mill Road
4. Richard Golding, 156 Mayo Road

Motion by Councilor Brann, seconded by Councilor Colford to grant all four licenses – unanimous vote in favor.

b. RAIN GARDEN PROPOSAL

Manager Lessard explained that this rain garden project proposed for the municipal building is an environmentally friendly means of treating stormwater runoff. A rain garden slows down and allows stormwater runoff to be filtered through the garden. This would be a pilot project and would go a long way toward meeting the obligations under the Town's MS4 Stormwater Management Plan. A copy of the proposal from CES Engineering Services is attached and Manager Lessard noted that the funding for this would come from the sewer account. Manager Lessard



CIVIL ENGINEERING SERVICES, INC. C-4-b.

ENGINEERS & SURVEYORS

August 8, 2007

Susan Lessard
Town Manager
Hampden Town Office
106 Western Avenue
Hampden, ME 04444

Re: Rain Garden Project for Municipal Office

Dear Susan:

Per your request, CES is providing a proposal to assist the Town of Hampden with the design of a rain garden. This rain garden will act as a low impact development (LID) best management practice (BMP) for treating the stormwater runoff from a portion of the municipal office parking lot. It will also be used as a demonstration BMP in conjunction with the Town's public education and outreach efforts to comply with the MDEP's MS4 Program.

This project is one of several outstanding initiatives that the Town of Hampden is undertaking as part of the Town's MS4 Stormwater Management Plan. The most probable cost of the tasks described below are included in a table under compensation.

SCOPE OF SERVICES

Task 1 Preliminary Design: CES will obtain the necessary site information to be used in the design of the municipal facility rain garden. We understand that topographic and infrastructure information is available from design plans provided by another consultant. We will assume that this information will be sufficient to complete the designs and that additional site survey work will not be necessary. In the event that a survey must be performed to collect additional site data, CES will provide an estimate of the survey services to the Town.

CES will rely on available reference material including the Maine Department of Environmental Protection's *Stormwater Management for Maine* (January 2006) for appropriate design standards for the rain garden.

CES will provide a preliminary design for Town staff to review prior to proceeding to a final design for construction. CES will also contact Laura Wilson, a Hampden resident and University of Maine Cooperative Extension Services - Water Resources Specialist, for her input during this task. If necessary, we can also seek the advice of a local landscape architect for plant selection recommendations.

Task 2 Final Design: Once the preliminary design has been reviewed and approved by Town staff, CES will develop the final design drawings which will be used for the construction of the rain garden. The final design will include the site layout in plan and profile view and associated details for the proposed LID BMP.

P4012

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Susan Lessard
August 8, 2007
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Task 3 Optional Services: Prior to construction, CES can provide construction specifications, a construction estimate, a bid package, perform the construction layout, and also provide inspection services if necessary. The cost of any additional services will be provided upon request.

COMPENSATION

Invoices for services will be issued every four weeks on the basis of the attached Schedule of Charges for personnel for time actually expended, plus reimbursement of direct expenses incurred. It is also agreed the Schedule of Charges will remain firm for any phase of services authorized and performed prior to October 1, 2007. Beyond that date, however, we reserve the right to adjust the schedule to reflect then current wage and cost conditions.

TASK	DESCRIPTION	BUDGET ESTIMATES
1	Preliminary Design	\$3,500.00
2	Final Design	\$1,500.00
3	Optional Services	TBD
	TOTAL	\$5,000.00

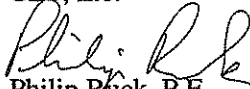
The estimated budget for the proposed services will not be exceeded without prior authorization from the Town of Hampden. CES, Inc. reserves the right to adjust fees, upon mutual agreement with the Town, to compensate for any changes in the scope of work that may occur.

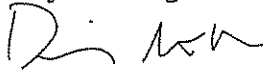
IMPLEMENTATION & AUTHORIZATION

CES is prepared to begin as soon as possible after receiving authorization to proceed.

If this proposal is sufficient in its present form, the return of one signed copy of this proposal will constitute your acceptance and will serve as our authorization to proceed. If you have any questions or require further information, please do not hesitate to call.

Sincerely,
CES, Inc.


Philip Ruck, P.E.
Project Manager


Denis St. Peter, P.E.
Principal

PR/DSP/kw
Enc.

Acceptance & Authorization to Proceed
on Behalf of the Town of Hampden:

Signature: _____

Printed Name: _____

Date: _____



**SCHEDULE OF CHARGES
(EFFECTIVE OCTOBER 1, 2006)**

CHARGES FOR PERSONNEL:

Principal	\$90.00/hr to \$135.00/hr
Project Manager (Engineering/Surveying)	\$85.00/hr to \$125.00/hr
Project Engineer	\$50.00/hr to \$90.00/hr
Assistant Engineer	\$55.00/hr to \$80.00/hr
Technician/Drafter	\$42.50/hr to \$65.00/hr
Technical Aide/Drafting Aide	\$30.00/hr to \$45.00/hr
Land Surveyor	\$70.00/hr to \$80.00/hr
Two Person Survey Crew	\$100.00/hr
Land Use Planner	\$80.00/hr
Environmental Scientist	\$65.00/hr
Two Person Environmental Monitoring Crew	\$100.00/hr
Licensed Site Evaluator	\$65.00/hr
Construction Observer/Manager	\$37.50/hr to \$65.00/hr
Clerical	\$25.00/hr to \$45.00/hr

EXPENSES: Subconsultant's fees processed through CES will be marked up 10% to cover our direct costs associated with retaining these services. Mileage will be billed at the rate of \$.55 (fifty-five cents) per mile. Photocopies, blue prints, and other project related reimbursable expenses will be billed at cost.

INVOICES: Invoices for personnel time and expenses will be submitted every four weeks and will be due when rendered. Interest at a rate of 1½% per month will be assessed to bills remaining due and not paid within 30 (thirty) days.

asked the Council if this is a project it would like her to pursue. Following discussion about the possible overall cost of the project and whether Public Works could do some of the work, it was the consensus of the Council to look at the overall cost before agreeing to the design phase.

Councilor Brann commented that it would not be possible to determine the overall cost of the project when you don't know what the plan is. He moved to authorize the continued study and authorize the Town Manager to contract with CES for the design study. Councilor Colford seconded the motion.

Mayor Briggs pointed out that the proposal is over \$4,000, which would require waiving of the bid procedure.

Motion by Councilor Brann, seconded by Councilor Colford to waive the bid procedure in order to discuss the possibility of contracting with CES Services to design a rain garden – Vote was 3 in favor (Colford, Brann and Briggs) and 3 opposed (Arnett, Gilberti and Murphy) – motion did not carry.

The Council requested that Manager Lessard conduct further research on the concept and bring back more information to the Council.

c. TAX RATE – 2008 BUDGET

Manager Lessard recommended that the mill rate for this year remain at \$15.70. Motion by Councilor Colford, seconded by Councilor Brann to set the mill rate at \$15.70 – By roll call, vote was 6-0 in favor.

d. EXCISE TAX PL 83

Manager Lessard informed the Council that the Legislature has passed a law which allows a municipality to refund excise tax in the case where a person takes a credit for a former vehicle against a new registration and the excise amount on the credit is more than the new excise. The Town is not required to do this if the Council votes no to do so and it was her recommendation not to change the town's current policy.

Motion by Councilor Arnett, seconded by Councilor Murphy to endorse the Town Manager's recommendation to not change the Town's policy relative to excise tax refunds – unanimous vote in favor.

e. ZONING TEXT AMENDMENT – PERMITTED USES IN INDUSTRIAL PARK DISTRICT – REFERRAL TO PLANNING BOARD AND INTRODUCTION FOR PUBLIC HEARING AT 9/17/07 MEETING

Motion by Councilor Gilberti, seconded by Councilor Brann to refer this to the Planning Board – unanimous vote in favor.

Councilor Gilberti introduced this item for public hearing at the second meeting in September, which was scheduled for September 24th.

f. CHARTER AMENDMENTS – INTRODUCTION FOR PUBLIC
HEARING AT 9/4/07 MEETING

Councilor Arnett introduced this item for public hearing on September 4th.

g. MAYO ROAD ENGINEERING STUDY – COUNCILOR BRANN

Councilor Brann noted that the Mayo Road has been a traffic-congestion problem for some time and perhaps it is now time to consider an engineering study. He pointed out that the Town is looking at growth on the Mayo Road and Kennebec Road and traffic would increase on the Mayo Road if the Four Mile Square is opened up. He feels it is time to look at what can be done to improve the road to handle higher traffic levels and make it safer for people to use.

Motion by Councilor Arnett, seconded by Councilor Gilberti to refer this item to the Public Works Department and Public Works Committee for recommendation – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Arnett reported that the Charter and Ordinance Committee continues to work with the Planning Board's Ordinance Committee on the mineral extraction and earthmoving ordinance and is working comprehensively with the concerns of the business community.

Councilor Brann reported that the Community Services Committee has been working on the Tree City designation requirements. Jim Feverston has taken the lead role in preparing documentation and Councilor Brann requested that it be agendaed for the next meeting so Jim can give a progress report. The Committee also has enough information to forward to the Ordinance Committee for investigation of a Tree Ordinance.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

WATER DISTRICT RATE INCREASE HEARING – Councilor Murphy suggested that this meeting be held in the Council Chambers so it can be taped and televised. Manager Lessard will make that request.

F. COUNCILOR'S COMMENTS

Councilor Colford commented that he has heard from people regarding the flag issue. He was unable to attend the last meeting, but wanted to say that he wished that this project could have moved forward. He feels that the town should step up and take care of maintenance and putting up/taking down the flags. He volunteered to store the flags at his home. He feels that the central flag concept is a great idea, but he would

MANAGER'S REPORT

August 20, 2007

Special Council Meeting Reminder – Just a reminder of the Special Council Meeting on Monday, August 27th at 7 p.m. to discuss Goals and Objectives.

Excused Absences – Councilor Cox has asked for excused absences for both September Council meetings since she will not be available.

Water District Rate Increase Hearing – The Water District will be holding a public hearing on October 2nd here at the Town Office to explain their upcoming rate increase request. It is scheduled to be approximately an 18.60 percent increase.

Town of Hermon Request for Meeting - Attached to this report is a letter from the Hermon Town Manager asking if the Town Council is interested in meeting with the Hermon Town Council to discuss possible areas of cooperation. We are both working on our Comprehensive Plans at the moment and this might be a good time to explore common interests.

Bus Fare Increase – Effective August 1st, bus fares for the BAT went up slightly. Full fare cash price from .85 to \$1.00, half price from .40 to .50, five rides from \$3 to \$4, monthly pass from \$34 to \$40, and student monthly pass from \$17 to \$20.

Transit Bonus Program Notice – We received notification that we will be receiving \$7,792 in grant funds under the Transit Bonus Program for the 2007/2008 year. That amount is .526 of our total request. MDOT received 29 applications totaling \$1,140,495.83. There was only \$600,000. available in funding so all requests got funded at .526 of total. These funds help defray the ongoing cost of operating the BAT in Hampden.

Children's Day – Thanks to the workers who put so much time, effort, and energy into Children's Day. Despite a damp beginning, the weather turned out well in the afternoon.

have voted for the flag project if he had been here. He would like to see the issue come back again.

Councilor Arnett echoed Manager Lessard's comments relative to Children's Day. He said it was great to see people lined up to watch the parade. He commended the efforts of the Children's Day Committee, the Recreation Department and Public Safety Department. There will be a special show on Channel 7 highlighting that event. Councilor Arnett also informed the Council that he will miss the second meeting in September.

Councilor Brann requested that snowmobile crossing signs be placed before snow flies. Councilor Brann also reported that several people have inquired whether the Town would consider having the transfer station open 7 days a week. He would like to have the Public Works Committee and Public Works Director look into that.

Councilor Gilberti informed the Council that he too will miss the second meeting in September. With Councilor Arnett and Councilor Cox also not being available, there will not be a quorum. The second meeting was rescheduled for September 24th.

Councilor Murphy commented that he would not mind if the flag issue comes back for review, but he hopes there would be no attacks on patriotism if the Council doesn't take any action.

Mayor Briggs clarified some misconceptions regarding the flag project. He noted that the request was made for the Council to grant approval of the placement of 92 flags in the community. The Council discussed both sides of the issue and before the Council took any vote, the request was withdrawn and no action was taken. During discussion there was some concern that the Council may not have the authority to grant such approval and after further research, it was confirmed that the Council was not the proper authority to approve the project. The approval would have to come from the owners of the utility poles and possibly Maine DOT. Mayor Briggs expressed disappointment in the comments from many people who have not understood the process and framework that the Council has to work under. The Town Manager and the Town Council have been accused of not being patriotic, caring and worst yet, not being community-minded. He said whereas no decisions were made and no final votes were taken, he finds it difficult to see where someone could come to this conclusion. The Council body was simply doing what it is supposed to do.


Mayor Briggs pointed out that the group can move forward provided they have permission from the property owners and DOT approval – Council approval is not required.

Manager Lessard informed the Council that there has been a request to agenda this for the first meeting in September for additional discussion relative to the town providing assistance. She said after the last Council meeting, she followed up on the idea of permission. In essence, permission is not necessary from either the Town of Hampden or MDOT because flags are protected under the traveler's advisory portion of the statute, which is the signs portion, as the flag of any nation, state or municipality is exempt from that control. The permission is clearly from the owner's of the poles. She notified the Council and the people in attendance that evening of that fact. She noted that in public positions, people sometimes make assumptions before they have all of the information and there is nothing more emotional that comes in front of people right

now than the idea of patriotism, the flag and all of those kinds of things. She said that once people have more information, they understand the process a little better. They haven't all been happy, but they have been more willing to listen. She said she welcomes the opportunity to have more of this discussion at the first meeting in September and if possible, we need to be able to separate emotion from the discussion.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:08 p.m.

A handwritten signature in cursive script that reads "Denise R. Hodsdon".

Denise Hodsdon
Town Clerk